

qualifications of a leader. He was a modest man who seldom raised his voice. He didn't have to. He was completely in control of his courtroom and of any other activity which he undertook. All of us who knew John were amazed by his ability to recall with accuracy names of participants and dates of athletic and other events going back sixty or seventy years. What a mind!

Pax vobiscum.

With undying respect,

OLIVER GASCH,
Judge, U.S. District Court.

FOOTNOTES

¹About this time, John also served as a page in the U.S. Senate.

²On the southern half of the beaches the 4th Marine Division was having plenty of trouble. The unfortunate 1st Battalion of the 25th Regiment, pinned down on an onfiladed beach, observed a Japanese counterattack developing from Agingan Point around 0940. It called for help from air and naval gunfire, and both of them it obtained; the advancing Japanese were discouraged by strafing and bombing attacks and gunfire from TENNESSEE. But the battalion continued to lose men by accurate artillery fire delivered from high ground not half a mile inland. During the afternoon Colonel Merton J. Batchelder, the regimental commander, sent a part of the 3rd Battalion to help the 1st take Agingan Point." Admiral Samuel Eliot Horison's "History of United States Naval Operations in World War II," Volume VIII, p. 198.

³See *Allen v. Wright*, 468 U.S. 737, 754

TRIBUTE TO U.S. CAPITOL POLICE

Mr. WARNER. Mr. President, I wish to pay tribute to the personnel of the U.S. Capitol Police. During my tenure in the Senate, I have witnessed these officers working in all types of adverse weather conditions during all seasons. The dedication and commitment these officers displayed during the "Blizzard of '96" is commendable and worthy of recognition. I thank the Sergeant of Arms for bringing these individuals to my attention.

On Saturday, January 6, the Washington metropolitan area experienced a winter storm of record proportions. When the storm was over 2 days later, record snowfall blanketed the city. High winds, drifting snow, and severe windchill temperatures created a critical emergency situation.

While roads throughout the area were impassable, the men and women of the U.S. Capitol Police were on duty providing vital public safety and police services within the Capitol complex.

Officers who were on duty when the storm began elected to remain on duty for extended periods. Some worked for as long as 32 hours to ensure there were sufficient personnel to perform law enforcement and security operations.

Several officers used their own funds to stay at local hotels so they could report back to duty on time to relieve fellow officers. Others, such as Lynne Williams, chose to sleep on the floor of the police station so she would be available for immediate recall.

Many officers performed services above and beyond the call of duty. Officer Al Jones worked four consecutive shifts, using his own plow-equipped vehicle to clear snow from parking lots, allowing for the movement of police vehicles.

Officers Michael Poillucci, Terrell Brantley, Thomas Howard, Terry Cook,

and Angelo Cimini used four-wheel drive police vehicles to transport House and Senate Members to critical official meetings.

Officer Richard Rudd voluntarily came to work on his day off knowing he would be needed. Officer Michael Mulcahy used plumbing skills to repair a broken water pipe in the police K-9 facility. Sgt. Dennis Kitchen, Officer Peter Demas, Officer Ellen Howard, and Capt. Edward Bailor worked extended duty hours in the Operations Division to provide coordination with other congressional and Federal entities during the storm.

Officers Ted Tholen, Kevin Weinkauff, James Whitt and freight handlers Bounteum Sysamout, Barry Pickett, Debora Riddick, Charles Wilson, Christopher Westmoreland, Richard Morris, and Thomas Cuthbertson of the Off-Site Delivery Center shoveled parking lots and security inspection areas to ensure police operations were not disrupted. Mr. Ken Meadows of the vehicle maintenance section worked additional duty hours to equip police vehicles with chains and respond to motorists in need of assistance. In addition, officers assisted countless citizens whose vehicles became stuck in the snow, responded to dozens of emergency calls for police assistance, and continued to diligently protect the Capitol and congressional office buildings.

These are just some examples of the extraordinary effort by the U.S. Capitol Police officers to meet and overcome the unique challenges posed by this severe snow storm. Their actions reflect the highest standards of public service. We thank the U.S. Capitol Police for their continued good work.

TRIBUTE TO AOC EMPLOYEES

Mr. WARNER. Mr. President, on Saturday, January 6, the Washington metropolitan area experienced a winter storm which virtually shut down the city and surrounding areas. The historic snowfall, high winds, and cold temperatures caused immeasurable difficulties and crisis situations never encountered before.

Despite these dangerous conditions, employees of all units under the Architect of the Capitol, including the Senate restaurants, preformed their duties to the highest level possible. In many instances key personnel remained in the immediate area and at their posts throughout the storm. Their commitment and hard work resulted in the following accomplishments: The removal of ice and snow equal to 19 miles from sidewalks, steps, building entrances, and handicapped ramps. Maintenance of powerplant operations to ensure delivery of steam to heat the Capitol Hill complex. Arrangement for continuous operation and emergency maintenance of all mechanical and electrical systems. The maintenance and monitoring of all office communication systems and climate control systems. Response to emergency calls for repair of frozen

HVAC coils and building and roof leaks.

We should applaud the outstanding efforts these employees made on behalf of all of us during a historic weather event. I thank the Architect for providing me with this information.

THE BLIZZARD OF 1996 AND THE U.S. CAPITOL OPERATORS

Mr. WARNER. Mr. President, the blizzard of 1996 caused untold inconvenience and problems to those in the Washington metropolitan area. The record snowstorm virtually shut down this city and surrounding Virginia and Maryland suburbs.

The infrastructure which supports the U.S. Senate met the challenge. I thank the Sergeant at Arms for providing me the facts and the names of these individuals. The U.S. Capitol telephone operators who were scheduled to work during the weekend storm that struck on January 6 knew the forecast. They came to work prepared to stay as long as necessary to keep the Capitol switchboard open and covered. Their commitment to duty resulted in many remaining overnight in their offices, carrying on with their duties, as others could not get here to relieve them. Bringing in extra food and clothing, they were prepared to work through the weekend. Supervisors of the Capitol switchboard came to work a day early to make certain they would be on duty.

While these Capitol switchboard operators and supervisors are designated "emergency personnel," they consider getting to work under extreme weather conditions as simply doing their job.

I would like to commend these supervisors and operators for their exemplary public service and mention them by name:

Barbara Broce, Martha Brick, Joan Sartori, Joan Cooksey, Mary Quessenberry, Lisa Thompson, and Laura Williams.

Thanks to all of you for your fine efforts and dedication to your jobs serving the U.S. Congress and our citizens.

CHINESE NUCLEAR EXPORTS TO PAKISTAN

Mr. PRESSLER. Mr. President, I want to bring to the attention of my colleagues some very disturbing developments in weapons proliferation in south Asia. Last year may go down in history as one of the worst years for the cause of nuclear nonproliferation. New evidence released this week merely reinforces this grave conclusion.

On February 5 the Washington Times reported that, in 1995, Chinese defense industrial trading companies exported 5,000 ring magnets to Pakistan. Under the terms of an international agreement with the International Atomic Energy Agency, the export of ring magnets is strictly controlled because

of the magnets' critical use in the production of nuclear weapons. Specifically, ring magnets are used in gas centrifuges, which are used to extract enriched, weapons-grade uranium from uranium gas.

Just this morning, Mr. President, the Washington Post reported a similar story, finding that American intelligence officials believe there is no doubt that the transfers occurred. Chapter 10, section 101, of the Arms Export Control Act contains very severe penalties that are to be imposed on both the exporting country and the importing country for illicit nuclear transfers of this type. Specifically, the law states that no Federal assistance—economic or military—may be made available to either country. In the case of the receiving country, Pakistan, this would mean the suspension of economic and military assistance, including military training or the transfer of defense articles. In the case of the delivering country, the People's Republic of China, the operations of the United States Export-Import Bank would be blocked.

These shocking revelations raise three fundamental issues:

First, numerous officials in the Government of Pakistan have been quoted, as recently as 1995, that it was no longer enriching uranium for nuclear weapons production. In other words, Pakistan claimed it had frozen its bomb program. We could never verify those statements, but that was what we were led to believe. We now know differently.

Second, the People's Republic of China has made a series of pledges to the United States with regards to the proliferation of weapons of mass destruction. Again, we now know differently.

Finally, during most of 1995—when the transfer of nuclear technology from the People's Republic of China to Pakistan was taking place—representatives of the Government of Pakistan and the Clinton administration were actively lobbying the Congress to weaken United States non-proliferation law to allow for a one time transfer of military equipment valued in excess of \$370 million, as well as the resumption of nonmilitary aid. As we all know, last year the Senate passed the so-called Brown amendment, which authorized the transfer of this military equipment to Pakistan. It also repealed portions of the so-called Pressler amendment, a law which prohibited any United States assistance to the Government of Pakistan because of its possession of nuclear explosive devices.

This last point—the passage of the Brown amendment—is particularly disturbing. I opposed the Brown amendment. I opposed it in part because it called for the transfer of military equipment without obtaining one single concession from Pakistan on the issue of nuclear proliferation. Frankly, if Members of Congress were aware of the ring sale—this violation of U.S. law

—I do not believe the Brown amendment would have passed.

It is unfortunate enough that our Nation would transfer to Pakistan, United States-made military equipment without any non-proliferation concession. Now we face the real and embarrassing prospect of having weakened United States non-proliferation law for Pakistan's benefit at the same time Pakistan was expanding its nuclear weapons capability in violation of United States law. This irony would be humorous if the issue wasn't so serious.

Accordingly, in view of the confirmations of these transfers, I have written today to President Clinton urging that he enforce the law. Specifically, any contemplated transfer of military equipment to Pakistan, as called for in the Brown amendment, should cease immediately. Further, sanctions called for under the law also should be applied to Chinese exporting companies.

Finally, Mr. President, it may be worth exploring if officials within the Clinton administration knew of this blatant violation of U.S. nonproliferation law while the administration was lobbying to pass the Brown amendment. And if they did, in fact, know it would be important to determine if they informed Members of Congress of this development. I intend to raise this matter with the chairman of the Intelligence Committee in the very near future.

Mr. President, I ask unanimous consent that articles in the Washington Times of February 5 and the Washington Post of February 7 as well as my letter to the President of this date be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington Times, Feb. 5, 1996]

CHINA NUCLEAR TRANSFER EXPOSED

HILL EXPECTED TO URGE SANCTIONS

(By Bill Gertz)

The CIA has uncovered new evidence China has violated U.S. antiproliferation laws by exporting nuclear weapons technology to Pakistan.

Evidence that China has transferred ring magnets—used in gas centrifuges that enrich uranium for weapons—is likely to intensify congressional pressure on the Clinton administration to impose sanctions as required by law.

Last week, several senators asked the president in a letter if China's sale of advanced cruise missiles to Iran, disclosed Tuesday by Vice Adm. Scott Redd, commander of U.S. naval forces in the Persian Gulf, also violates counterproliferation laws.

State Department officials are expected to confront Chinese Vice Foreign Minister Li Zhaoxing, who arrives in Washington today, over the nuclear technology and other weapons-proliferation exports.

The administration in the past has sought to minimize Chinese nuclear and missile-proliferation activities. But senior State Department officials are said to be very worried that China's proliferation activities can no longer be ignored without undermining the credibility of U.S. efforts to halt the spread of nuclear arms technology and missiles.

"The Chinese are their own worst enemy," a White House official said when asked about the new proliferation activities by Beijing.

The CIA in 1992 obtained intelligence indicating China had transferred M-11 missiles to Pakistan, including photographs of missile canisters. But the State Department ruled there was no proof missiles were inside, thereby avoiding having to invoke tough sanctions.

Instead, the department in 1993 applied much milder sanctions for transferring what is said was M-11 technology, and then lifted the sanctions after a year.

According to intelligence sources, the CIA recently notified the State Department that China sold 5,000 ring magnets to the A.Q. Khan Research Laboratory in Kahuta, Pakistan, last year.

Officials did not further identify the originating firm in China, but one congressional source said the magnets were probably produced by the China National Nuclear Co., a government-owned firm that makes nuclear-related products.

CIA spokesman Mark Mansfield declined to comment when asked about the Chinese transfer of nuclear technology. Spokesmen for the Chinese and Pakistani embassies could not be reached for comment.

According to congressional sources, State Department officials believe China's export of ring magnets violates the Arms Export Control Act. Under an amendment to that law, the 1994 Nuclear Proliferation Prevention Act, the president is required to impose sanctions on any country that "transfers to a non-nuclear weapon state any design information or component" used in building nuclear arms.

Gas centrifuges are used to extract enriched uranium from uranium gas. Intelligence officials believe the magnets sent to Pakistan will be used in special suspension bearings at the top of a spinning chamber in the centrifuges.

"This is another example of the ruthless way the Chinese are violating every non-proliferation pledge they've made to us," said William C. Triplett, former chief counsel of the Senate Foreign Relations Committee.

On Wednesday, Sens. Larry Pressler of South Dakota, Alfonse M. D'Amato of New York, Connie Mack of Florida and Arlen Specter of Pennsylvania wrote to President Clinton about Iran's test-firing a Chinese C-802 advanced anti-ship cruise missile.

"Clearly, Adm. Redd's acknowledgment of the C-802 test-firing would appear to be an official recognition of an illegal transfer to Iran to advanced conventional weapons by Chinese defenses industrial trading companies," Mr. Pressler said in a statement. "This is a vital national security matter and demands immediate attention."

In their letter, the four senators asked the president either to "enforce the sanctions pursuant to federal law or to seek a waiver."

Under an amendment to the fiscal 1993 defense authorization law, the president is required to impose sanctions on any nation that transfers advanced conventional weapons to either Iran or Iraq. The measure was sponsored by Sen. John McCain, Arizona Republican, and Sen. Al Gore, Tennessee Democrat and now vice president.

Mr. McCain, in a separate letter to Undersecretary of State Lynn Davis, the department's top arms-control policy-maker, asked whether the Chinese cruise missile transfer to Iran violates federal law and contributes to Iran's efforts to acquire destabilizing advanced conventional arms.

In the House, Rep. Nancy Pelosi, California Democrat and a member of the House Intelligence Committee, asked the committee last week to hold hearings on China's proliferation activities.

It also was a key topic when several members of the House International Relations

Committee met last week with Peter Tarnoff, undersecretary of state for political affairs.

The disclosures about export of missile and nuclear weapons components come at a time of increased tensions between Washington and Beijing.

The State Department announced last week that it has granted a visa to Taiwan's vice president, Li Yuan Zu. China protested the action and has been threatening to use force to recapture Taiwan, which it regards as a renegade province, not an independent country.

Other Chinese activities that have severely eroded support in Congress for a waiver of sanctions:

The expulsion last week of three Chinese nationals from Ukraine for trying to obtain secret technology on SS-18 ICBM boosters from a missile-production facility in Dnipropetrovsk.

Ongoing copyright violations involving U.S. goods.

Continued nuclear weapons testing.

Dispatching missile technicians to Pakistan in 1994, indicating the transfer of M-11 technology was still under way at a time when China was denying such activities.

[From the Washington Post, Feb. 7, 1996]

CHINA AIDS PAKISTAN NUCLEAR PROGRAM
PARTS SHIPMENT REPORTED BY CIA COULD
JEOPARDIZE U.S. TRADE DEALS

(By R. Jeffrey Smith)

U.S. intelligence officials have concluded that China sold sensitive nuclear weapons-related equipment to Pakistan last year, an act that could lead the Clinton administration to halt U.S. government financing for nearly \$10 billion worth of American business deals in China.

President Clinton's advisers are studying the intelligence report to determine how they should respond, according to several officials. Legislation approved by Congress in 1994 requires that he either approve the sanctions, which would block loan guarantees by the U.S. Export-Import Bank, or formally waive the penalties, once such an intelligence report is received.

In a previous arms transfer case, involving the alleged sale of Chinese missiles to Pakistan, the State Department ducked imposing sanctions by concluding that the evidence was not strong enough. A senior official commenting yesterday at the State Department about the new report of nuclear aid to Pakistan, said that "as of now" the United States has not determined that China has "done anything that would trigger sanctions under U.S. legislation."

But several other U.S. officials privy to the new intelligence report said there is no doubt about its conclusions, a circumstance that could put the administration in a bind because it prefers to avoid damaging extensive U.S. trade ties with China.

The aim of the sanctions would be to punish China for assisting Partisan's production of highly enriched uranium, a key ingredient of nuclear weapons. But U.S. officials say the nuclear transfer is only one of several recent actions by China that may wind up disrupting its commercial and diplomatic relations with the United States.

China's export to Iran late last year of anti-ship cruise missiles—confirmed last week by a senior U.S. Navy official—may also qualify as a sanctionable offense, according to some U.S. officials and lawmakers. Another U.S. law requires broad economic penalties against any nation that gives "destabilizing numbers and types of advanced conventional weapons" to Iran, which Washington has branded a terrorist nation.

U.S. officials said that the number of missiles sold by China may not be large enough to force the drastic cutoff of development bank assistance, technical assistance, military exchanges and sensitive exports mandated by the law. But four senators recently wrote to Clinton to say that either sanctions or a waiver are required in this case.

In yet another sign of increasingly rocky U.S. relations with China, some administration officials have raised the prospect of imposing tariffs later this year on billions of dollars in trade to protest China's refusal to halt illicit copying of U.S. trademark goods.

Washington is also trying to persuade China to adopt a less threatening posture toward Taiwan. Beijing views the island as a renegade province, but Taiwan receives U.S. arms and is supported by many U.S. lawmakers because of its considerable prosperity and political openness relative to China.

"There's a recognition that this is going to be a very difficult year in U.S.-China relations," a senior State Department official said. He explained that with China in the midst of a difficult transition to new political leadership, and "our own domestic environment" affected by an upcoming presidential election, the two nations may find themselves being pulled toward opposing positions on matters they previously sidestepped or settled through compromise.

Washington has long had concerns about Chinese military assistance to Pakistan, which Beijing regards as an erstwhile political ally and military counter-weight to India. U.S. intelligence officials have long alleged that Pakistan's nuclear arsenal is largely derived from design information supplied by China, a charge that Beijing denies.

U.S. intelligence reports have also pinpointed the apparent location in Pakistan of crated, Chinese-made, medium-range missiles, which if confirmed would force a cutoff of billions of dollars worth of U.S.-China trade. But the administration has decided that no sanctions need be invoked until the missiles are sighted outside their crates.

The latest Chinese nuclear-related transfer to Pakistan was recently detected by the CIA and first reported publicly in Monday's editions of the Washington Times. It involves a shipment of 5,000 specialized magnets to the Abdul Qadeer Khan Research Laboratory in Kahuta, named for the father of the Pakistani nuclear bomb program.

According to two knowledgeable officials, the magnets are clearly meant to be installed in high-speed centrifuges at the plant that enrich uranium for nuclear weapons.

Several congressional sources said that the shipment thus triggers provisions of the 1994 Nuclear Proliferation Prevention Act, which forces "a cutoff of Export-Import Bank assistance" involving trade with China.

Among the large U.S. companies that would be affected by a loan guarantee cutoff are Boeing Co., AT&T, and Westinghouse Electric Corp.

"We do have genuine concerns about any possible nuclear-related transfers between China and Pakistan and we have raised these concerns . . . at very senior levels," the senior official said at the State Department.

"We will do whatever is required under U.S. law, but . . . we have to have a very high degree of confidence in our evidence," the official added. "As of now we have not determined that China . . . has done anything that would trigger sanctions under U.S. legislation. But this is obviously under continual review."

— U.S. SENATE,

Washington, DC, February 7, 1996.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: The United States Intelligence Community is confirming on

background that the People's Republic of China (PRC) has violated U.S. non-proliferation laws by exporting nuclear weapons technology to Pakistan. According to today's Washington Post, our intelligence officials believe "there is no doubt" that an illicit transfer has taken place.

Specifically, the Washington Times first reported on February 5 that, in 1995, Chinese defense industrial trading companies sold 5,000 ring magnets to the Abdul Qadeer Khan Research Laboratory in Kahuta, Pakistan. Under an international agreement sponsored by the International Atomic Energy Agency, the export of ring magnets is severely restricted because of their critical use in nuclear weapons production.

This reported sale of nuclear technology raises two key concerns many in Congress have held for some time: Contrary to the most solemn declaration of the Government of Pakistan, Pakistan is attempting to expand its supply of weapons-grade enriched uranium, and Chinese companies are actively fueling and profiting from a dangerous nuclear arms race in South Asia.

Chapter 10 of the Arms Export Control Act contains a set of specific prohibitions governing illicit nuclear transfers. If the President determines that a country has delivered or received "nuclear enrichment equipment, materials or technology," no funds may be made available to that country under the Foreign Assistance Act of 1961. This would include all civilian and military equipment, including that provided by the Brown Amendment to the Fiscal Year 1996 Foreign Operations Appropriations Act. The prohibitions also extend to military education and training.

I ask that you make the determination called for by Chapter 10. Unquestionably, this sale of nuclear technology represents a serious violation of federal law, as well as international nuclear non-proliferation agreements.

No issue is more important to the security of all people than nuclear non-proliferation. For that reason, I urge your Administration to take immediate and certain action to enforce the law with respect to this sale of nuclear technology and freeze all assistance, civilian or military, to Pakistan. The sanctions called for under the law should be applied to Chinese exporting companies.

Sincerely,

LARRY PRESSLER,
U.S. Senator.

TRIBUTE TO RICHARD G. "DICK" FIFIELD

Mr. HEFLIN. Mr. President, the agricultural community in Alabama and throughout the Southeast have not had a more forceful and competent representative than Richard G. "Dick" Fifield. For 20 years, this loyal friend to has done an outstanding job of directing the Washington legislative operations of the Alabama Farmers Federation—widely known as ALFA—as the organization's official liaison to Congress. Dick will be retiring from his position as ALFA's Director of National Affairs and Research on March 1, 1996, and will be sorely missed by all of us who have been fortunate enough to know him and work with him over the years.

As a long-time member of the Senate's Agriculture Committee, I have had the pleasure of working with Dick Fifield on a great number of issues that